

**BEFORE THE  
NATIONAL TRANSPORTATION SAFETY BOARD**

In the matter of: )  
 )  
DCA03MM018 SINKING OF U.S. )  
PASSENGER VESSEL PANTHER ON )  
DECEMBER 30, 2002, NEAR EVERGLADES )  
CITY, FLORIDA. )  
 )  
- - - - - )

Office of Marine Safety  
National Transportation  
Safety Board  
490 L'Enfant Plaza East  
Washington, D.C. 20594

Tuesday,  
January 6, 2003

TAPE TRANSCRIPTION of SAM HAMILTON, III  
and JOSEPH HAMILTON

1                                    **P R O C E E D I N G S**

2                    MR. FORD:     Today is January 6th, 2003.   I'm  
3   in the law office of J. Christopher Lombardo.   I'm  
4   Robert Ford, Investigator with the National  
5   Transportation Safety Board.

6                    Sir, if you could identify yourself?

7                    MR. SAM HAMILTON:     I'm Sam Hamilton, III,  
8   one of the managers of Everglades National Park Boat  
9   Tourists.

10                  MR. FORD:     And you are the son of?

11                  MR. SAM HAMILTON:     Son of Sam Hamilton, Jr.

12                  MR. FORD:     And you've worked for him  
13   directly for how long?

14                  MR. SAM HAMILTON:     Thirty years.

15                  MR. FORD:     Are you thirty   years old?

16                  MR. SAM HAMILTON:     I'm forty-five.

17                  MR. FORD:     Forty-five.   Okay.   So since you  
18   were an adult, you --

19                  MR. SAM HAMILTON:     About fifteen, yeah.

20                  MR. FORD:     Fifteen years.   What is your job  
21   working -- what do you do working with your father?

22                  MR. SAM HAMILTON:     Pretty much outside the  
23   office kind of thing.   Maintenance on the boats,  
24   directing the boat captains, just on site in case  
25   something happens.

1           But from about the time I was eighteen to say  
2   twenty-seven, I was actually a captain on one of the  
3   tour boats. Actually all the tour boats.

4           MR. FORD:   Do you have free reign to make  
5   decisions or do you clear these back through your  
6   father?

7           MR. SAM HAMILTON:   Well, we all three work  
8   together.

9           MR. FORD:   So you will confer with each  
10   other --

11          MR. SAM HAMILTON:   Sure.

12          MR. FORD:   -- decide and take it from there?

13          MR. SAM HAMILTON:   Sure.

14          MR. FORD:   How do you deal with your  
15   captains?

16          MR. SAM HAMILTON:   How do I deal with them?  
17   What do you mean?

18          MR. FORD:   Specifically, how do you assign  
19   them to boats?

20          MR. SAM HAMILTON:   Okay.

21          MR. FORD:   Do you discipline them?

22          MR. SAM HAMILTON:   No.

23          MR. FORD:   Do you train them?

24          MR. SAM HAMILTON:   Yes, yes.

25          MR. FORD:   All those things.

1                   MR. SAM HAMILTON:   Basically, we see what we  
2   need as far as a captain, and what vessel needs a  
3   captain.  And we put an ad in the newspaper and we  
4   interview several of them.

5                   And between the three of us, we know if we  
6   like someone, we think they've got a little common  
7   sense or whatever, you know, be able to run a boat.

8                   Then basically we'll give them a try.  We'll  
9   put them out on a boat with the other captains that  
10  have been there for a while, and let them train them,  
11  you know, five to ten days, or whatever, and then kind  
12  of rely on the older captains to tell us what -- you  
13  know, this guy can do it or he can't do it, or  
14  whatever.

15                  And we go from there.  And, you know, we'll  
16  give them the rules.  And Joe and I mainly meet  
17  sometimes.  We go out on the boat with them, show them  
18  this is the route, this is the way it's done.

19                  It's a fairly simple route.  And don't go out  
20  of the channel, don't do this, don't get crazy on us.  
21  And, you know, if I like him and Joe likes him, and my  
22  dad says go for it, then we hire him.

23                  You know, make sure he has the license, of  
24  course, right off the bat.

25                  MR. FORD:   If you have a problem with one,

1 who usually deals with it?

2 MR. SAM HAMILTON: The three of us.

3 MR. FORD: At the same time?

4 I mean how -- suppose you had a problem  
5 captain. What would be the process?

6 MR. SAM HAMILTON: Well, it depends on who  
7 notices the problem, but usually the three of us will  
8 notice it right off the bat, and we'll get together and  
9 send him down the road or try to correct the problem.

10 MR. FORD: Okay. Can you think of any cases  
11 in particular?

12 MR. SAM HAMILTON: Well, over, you know, a  
13 period of thirty years, there's been a couple.

14 MR. FORD: Okay. We'll narrow it down then.  
15 Say the last few years.

16 MR. SAM HAMILTON: No, not really over the  
17 last few years, no.

18 MR. FORD: How did you get along with  
19 Captain Daniel Maye?

20 MR. SAM HAMILTON: Excellent.

21 MR. FORD: Do you think he's a good man?

22 MR. SAM HAMILTON: Yeah, I sure do.

23 MR. FORD: Do you think he runs the boats  
24 safely?

25 MR. SAM HAMILTON: Well, yeah, I sure do

1 from what I've been told. And, like I say, with the  
2 training and everything, yeah, he's done a good job.

3 MR. FORD: Are you aware of any recent  
4 groundings, accidents to the PANTHER ONE?

5 MR. SAM HAMILTON: Yeah, with Captain Drew.

6 MR. FORD: And that was on the ONE?

7 MR. SAM HAMILTON: That was on PANTHER ONE.

8 MR. FORD: And do you know how severe a  
9 grounding it was?

10 MR. SAM HAMILTON: Kind of, but we had to go  
11 out and actually -- did we tow that boat in?

12 VOICE: I wasn't there then.

13 MR. SAM HAMILTON: Okay. I don't know if we  
14 actually went out and towed the boat in, but we had to  
15 go out there on site, after he got off whatever he did,  
16 off the shell bar or sandbar or whatever, was headed  
17 back in.

18 Evidently he sucked up a lot of shell in the  
19 sea strainer, or sand or whatever, and it quite  
20 pumping. So the motor ran hot.

21 We shut her down. We had to go out there and  
22 put a water pump gear in it because it fried the water  
23 pump gear, because there was no water going through  
24 there.

25 And they anchored and, like I say, we went

1 out and did all that, and we got it back to the dock.  
2 And when it got back to the dock, because of briefly  
3 what happened and, you know, we're going like, wow,  
4 man, what did you do, get out of the channel and all  
5 that kind of stuff?

6 And he goes, well, I made a mistake, or  
7 something like that. And so we pulled the -- mainly  
8 the back hatch where the strut is in the back -- you're  
9 aware of that -- the back hatch, we pulled that up  
10 mainly just to make sure that the rudder post wasn't  
11 damaged, you know, he didn't do anything with the  
12 steering pretty much.

13 And at that time, we were looking around. Of  
14 course, there's no water coming in, the bilge pumps  
15 were coming on and all that stuff, so everything was  
16 fine. Put it back down and send it on its way.

17 You know, they ran what, ten days before this  
18 incident here?

19 MR. FORD: At least.

20 MR. SAM HAMILTON: So evidently there was  
21 nothing wrong at that time. So I don't know what  
22 happened when it finally did.

23 MR. FORD: Okay. You've been involved in  
24 Coast Guard inspections of the PANTHER ONE?

25 MR. SAM HAMILTON: Many times, yeah.

1                   MR. FORD:    Do you think the Coast Guard does  
2   a thorough inspection?

3                   MR. SAM HAMILTON:    Yeah, they've done.

4                   MR. FORD:    How do they inspect the hull?

5                   MR. SAM HAMILTON:    The hull?   Now, we've got  
6   two different inspections, we've got an inside  
7   inspection, and we've got a bottom inspection.

8                   MR. FORD:    Bottom inspection?

9                   MR. SAM HAMILTON:    Okay.   Bottom inspection.  
10   They put their coveralls on immediately after they got  
11   out of the car.   They got their little ice picks and  
12   their hammers and stuff, and they go underneath the  
13   boat.

14                   They'll start the strut and all that stuff  
15   and work their way to the front.   And then they'll go  
16   outside and make sure the sides and everything are  
17   okay.

18                   Then they'll get inside and raise all the  
19   hatches.   And they crawl down through all that and make  
20   sure, you know, there's no rotted wood, that the rudder  
21   closes and everything's fine.   The shaft log and all  
22   that's fine.   That's pretty much the inside or bottom  
23   inspection.

24                   MR. FORD:    To your knowledge there have not  
25   been any structural modifications to the PANTHER ONE?



1           MR. SAM HAMILTON:    To my knowledge, yeah.

2           MR. FORD:     How about any bottom damage in  
3 the last five years?

4           MR. SAM HAMILTON:    No, in the last five  
5 years, no.

6           MR. FORD:     Can you tell me what happened the  
7 day of the accident to PANTHER ONE?

8           MR. SAM HAMILTON:    Well, I can't tell you  
9 exactly, of course.

10          MR. FORD:     Yeah.

11          MR. SAM HAMILTON:    Yeah.   But what I'm  
12 thinking roughly is that it probably all stemmed from  
13 the Drew incident.   This is what I'm thinking.

14                 Because I've know this boat.   You know, I've  
15 known it for thirty years.   I know the captains, I know  
16 the paths that they run in.   I know their techniques  
17 for getting dolphins -- you know, what they have to do  
18 out there and all that.

19                 Okay.   So what I'm thinking over the last,  
20 you know, four or five days, is that maybe something  
21 started it there, you know, when Drew ran aground, and  
22 maybe broke something loose.

23                 By that time there was no water coming in.  
24 You know, the bilge pumps weren't staying on the whole  
25 time.   Like I say, he ran probably ten days after that.

1

2           And then I guess Daniel, this morning, we  
3 were talking about it, he ran three trips that day  
4 before anything happened. And the only thing I can  
5 figure is that maybe -- you know, I know what they do  
6 out there, they try to get these dolphins to jump.

7           And they've got to create about a three foot  
8 wake in the back of the boat. And from what I  
9 understand, he went around in circles out there, which  
10 is not a very smart move because you're going around in  
11 a circle, each time you're hitting that wake, boom,  
12 you're on that wake.

13           MR. FORD:   Everybody in the rear.

14           MR. SAM HAMILTON:   So the night it broke,  
15 what Drew did loose. Now, I'm not going to say Daniel  
16 might have run it aground that day, but it's a  
17 possibility. You know.

18           I'm not real sure, but evidently the wake --  
19 because you do feel that underneath your feet when  
20 you're driving that boat. I've been there many times  
21 before.

22           You don't feel it up in the front because  
23 you're on a squat plain like this. And you'll feel  
24 that underneath your feet toward the back of the boat.

25           So what I'm thinking, maybe it broke loose

1 even more and the bilge pumps couldn't keep up with it,  
2 and Daniel had to look down, saw the water in the back  
3 of the boat, and he slowed down immediately.

4 This is the wrong thing to do. You know, if  
5 I had been out there, I would just put it in gear wide  
6 open and hit the mangrove trees, put everybody on the  
7 roots of the trees.

8 But he slowed down immediately drawing the  
9 swamp in the back obviously, and then that three foot  
10 wake come over the back of the boat and weighed it down  
11 immediately. That's what I'm thinking.

12 Joe, did I leave out something there?

13 MR. JOE HAMILTON: No.

14 MR. FORD: Okay. What I'm looking -- I'm  
15 looking more now later on.

16 MR. SAM HAMILTON: Okay.

17 MR. FORD: You both get out there.

18 MR. SAM HAMILTON: Right.

19 MR. FORD: So I want to take it from there  
20 as to when you arrived on the scene.

21 MR. SAM HAMILTON: Oh, yeah, Joe was in  
22 Naples.

23 MR. JOE HAMILTON: I was about an hour, an  
24 hour later. We sat there all night with the Coast  
25 Guard.

1                   MR. FORD:     Okay.    So why don't you go  
2   through that for me.

3                   MR. SAM HAMILTON:    Okay.   Arriving on the  
4   scene?

5                   MR. FORD:     Right.

6                   MR. SAM HAMILTON:    Okay.   I had gone across  
7   the street, right across from the boat tours, the  
8   station.   I came back.   The girl works behind the  
9   counter, Dawn, immediately met me out there.

10                   She goes, Sam, we've got a major problem.  
11   PANTHER ONE went down.   I heard that -- you know what  
12   I'm saying?

13                   So I go okay, cool, what do we have going on?  
14   We already sent two tour boats out there to pick up  
15   the people.   They're already on their way   So I go  
16   okay, good.

17                   So I jump into my dad's boat, the personal  
18   fishing boat that sits there, and I -- it's a rescue  
19   boat basically.   I jumped in there, I come in behind.

20                   When I get there, they've already picked up  
21   the passengers.   We've got some that's on the crab  
22   boat, and then the tour boat has the rest of them  
23   headed in.

24                   So I pull up to the crab boat and I ask  
25   Calvin, I go everybody fine, everything's cool?   He

1 goes yeah. So immediately head over to my tour boat  
2 captain. I say everybody accounted for?

3 And it was Drew. And he goes, yeah,  
4 everybody's accounted for. Okay, great. So I think  
5 there was a Ranger on site, but I can't -- I think it  
6 was Keefer, but I'm not really sure. I don't even know  
7 if I talked to him or not.

8 But we made sure everything was fine and  
9 Daniel got on the other tour boat and took them back  
10 in. Yeah, because Stanford was on the PANTHER TWO.  
11 That was one of the boats that responded.

12 Stanford got on the boat with me. We went on  
13 out to the main channel because the tide was going out.  
14 We wanted to be sure, you know, I'm not going to say  
15 about people being out there, but you know, we wanted  
16 to be sure about it because the tide was going out.

17 MR. FORD: Plus you're looking for the  
18 engine box.

19 MR. SAM HAMILTON: And plus we were looking  
20 for debris and stuff. We picked up the engine box, and  
21 one of the hatches, and I came back on in. That's  
22 basically it, yeah.

23 MR. FORD: How did it end up? You had it  
24 tied off to a tree at one point, correct?

25 MR. SAM HAMILTON: What happened was there

1 was another crab boat involved, and he was kind enough  
2 to actually hook on to the boat before it went down.

3 I only figured it would have went down, it  
4 was sitting and floating with the bow up. It must have  
5 had an air pocket in it or something.

6 He hooked on to the bow and at any time  
7 you're not very far from the mangrove trees. You know,  
8 that's why I can't even see his hat really, but that's  
9 another point.

10 He hooked on to it. There's a sandbar that  
11 comes off the mangrove trees. It runs like this. He  
12 towed it around and put the bow up on the sandbar and  
13 tied it off to the trees.

14 That way it kept it from going down into the  
15 Gulf or running out through the main channel, you know,  
16 where other boats are coming in and stuff. So to make  
17 sure it was secure, we came on down.

18 And we were told that we couldn't mess with  
19 it, couldn't do anything to it until the Coast Guard  
20 arrived.

21 MR. FORD: And who told you that? Had it  
22 come from --

23 MR. SAM HAMILTON: Who was it?

24 MR. FORD: I know the Coast Guard was on  
25 site.

1                   MR. SAM HAMILTON:    Because they immediately  
2   sent the Park Rangers down there to make sure we didn't  
3   get --

4                   MR. JOE HAMILTON:    Well, we had went and got  
5   one of the big crab boats in the channel with the  
6   hydraulic hoist on the back --

7                   MR. SAM HAMILTON:    Right.

8                   MR. SAM HAMILTON:    -- so we could lift the  
9   hatches --

10                  MR. SAM HAMILTON:    Right.

11                  MR. JOE HAMILTON:    And then we had  
12   everything, all our salvage.  We're ready to roll.

13                  MR. SAM HAMILTON:    Right.

14                  MR. JOE HAMILTON:    And then 4:30, 5:00,  
15   whatever time it was and so we just set up.  We got  
16   word actually, as we were going out the pass, they sent  
17   one of the maintenance guys, Johnny Russell and the  
18   Park Ranger, and they kept a helicopter flying.

19                  MR. SAM HAMILTON:    Sure.  Yeah.

20                  MR. FORD:           Just for clarification, you go by  
21   Joe, or are you Joseph?

22                  MR. JOE HAMILTON:    Joe.

23                  MR. FORD:           Joe.  That's owner's son also.

24                  MR. JOE HAMILTON:    Yes.

25                  MR. FORD:           And you work for your father?

1                   MR. JOE HAMILTON:     Since I was nineteen.  
2     I'm thirty-nine.

3                   MR. FORD:     Okay.     Just trying to keep this  
4     straight.

5                   MR. JOE HAMILTON:     Yeah, okay.     I'm sorry.

6                   MR. FORD:     That's okay.     So now the Park  
7     Ranger said leave it until the Coast Guard?

8                   MR. SAM HAMILTON:     Sure.

9                   MR. JOE HAMILTON:     Right.

10                  MR. FORD:     So the Coast Guard showed up  
11     about what time?

12                  MR. SAM HAMILTON:     10:30.

13                  MR. JOE HAMILTON:     10:30.

14                  MR. FORD:     On scene out there in the water?

15                  MR. JOE HAMILTON:     Yes, on the scene out  
16     there.

17                  MR. SAM HAMILTON:     The Park Service brought  
18     them out there.

19                  MR. FORD:     And who was it?

20                  MR. SAM HAMILTON:     MSO was -- the girl --

21                  MR. JOE HAMILTON:     A guy named McCoo or a  
22     girl named McCoo.

23                  MR. SAM HAMILTON:     And Jesus.     That's all I  
24     can remember.

25                  MR. JOE HAMILTON:     Mark DeJesus.     Nice guy.



1                   MR. SAM HAMILTON:    Very nice guy.

2                   MR. FORD:     Okay.   Now, what did they tell  
3 you to do?

4                   MR. SAM HAMILTON:   Well, when they arrived  
5 on scene, because we had already been there about four  
6 or five hours.

7                   So we're sitting there and we're saying,  
8 look, we'd just like to take this boat and pull it up a  
9 little further on this sandbar, so that in the morning  
10 when the tides are low it will be sitting there and the  
11 water will drain out of it, and there won't be no water  
12 around it and we can get out of here with a pump, pump  
13 the water out that's still in there.

14                  MR. JOE HAMILTON:    Right.

15                  MR. SAM HAMILTON:   And then we can bring it  
16 on home.   And it took them a little while to make a  
17 decision.

18                  MR. JOE HAMILTON:   More than a little while.

19                  MR. SAM HAMILTON:   Yeah.   They didn't really  
20 know what to do, honestly.   And finally, I guess they  
21 were back and forth on the radio and they got approval  
22 from whoever they get approval from, and they told us  
23 to go ahead and do it.

24                  So we pulled the SKIMMER around and we tied  
25 on to the bow of it.   And the sandbar, like I say, runs

1 this way --

2 MR. FORD: Just for clarification, the  
3 SKIMMER is the name of a boat?

4 MR. SAM HAMILTON: The SKIMMER is the vessel  
5 that we were on that we used for the salvage operation.  
6 It's one of our tour boats.

7 MR. FORD: Okay.

8 MR. SAM HAMILTON: Okay. So like I say, the  
9 sandbar sits this way. The boat's sitting on it like  
10 this. So we took the SKIMMER and pulled on this side  
11 of the sandbar because it's deeper on this side.

12 We attached a line to it and we pulled it  
13 forward about thirty feet. You have to pull it up on  
14 that sandbar. And we stopped right there and we went  
15 home.

16 That way we knew the tide was going to be low  
17 in the morning about 6:30 --

18 MR. FORD: Right.

19 MR. SAM HAMILTON: -- and when we got out  
20 there, we knew it would be sitting high and dry. We  
21 could pump it out, see if there was any holes in it or  
22 whatever, and there wasn't, and be able to tow it on in  
23 at that same day.

24 But that morning, I kept trying to get the go  
25 ahead to get out there and, man, it was just like

1 talking to --

2 MR. FORD: And you're talking now about  
3 6:30?

4 MR. SAM HAMILTON: Yeah.

5 MR. JOE HAMILTON: Yeah.

6 MR. SAM HAMILTON: They made us wait, they  
7 made us wait. I ran upstairs like three times, and she  
8 goes, well, I'm going to fax it over right now. She  
9 goes, I already approved it.

10 Because I had to fill out this form how I was  
11 going to do it and everything else. She goes I okayed  
12 this. So I go all right, great. Joe, we get to leave  
13 now.

14 MR. JOE HAMILTON: Yeah, right.

15 MR. SAM HAMILTON: So I go downstairs and  
16 I'm waiting, I'm waiting, I'm waiting. I run back up  
17 there and she goes, oh, I haven't even faxed it yet.

18 So we're getting a little aggravated this  
19 time. So any way, she finally faxes it and she gives  
20 us the okay to go. By this time, we're getting out of  
21 there, the tide's already up and it's just messed up  
22 everything, but we actually was able to pull it off.  
23 We got it back home.

24 MR. JOE HAMILTON: Yeah.

25 MR. FORD: Did you want to put it on the

1 sandbar?

2 MR. SAM HAMILTON: Yes.

3 MR. FORD: Okay. So you were happy and  
4 content and you just had to get the Coast Guard to  
5 agree to do it?

6 MR. SAM HAMILTON: Exactly.

7 MR. FORD: Did you have any dealings with a  
8 Lieutenant Hammer from the Coast Guard Tampa Office?

9 MR. SAM HAMILTON: I haven't seen Hammer.

10 MR. FORD: Okay.

11 MR. SAM HAMILTON: My dad did.

12 MR. FORD: You say you think Captain Drew  
13 grounded it at one point in December?

14 MR. SAM HAMILTON: That's what he told me.

15 MR. FORD: Were any other problems reported  
16 between the period of when Captain Drew told you and  
17 the day it sank?

18 MR. SAM HAMILTON: No.

19 MR. FORD: No one came to you? No one  
20 reported taking on more water then, or the bilges were  
21 working?

22 MR. SAM HAMILTON: No. Well, I -- back off  
23 for a second now. About the bilge pumps, there's a  
24 problem every once in a while mainly because these guys  
25 turn them off with their -- you know, I guess they're

1 located in a bad spot.

2 Because the incident about two days before  
3 this happened, Captain Dennis came in and tied up and  
4 he had more people on the right hand side and then  
5 toward the back of the boat.

6 MR. FORD: Which is a no-no.

7 MR. SAM HAMILTON: It is a no-no. So I'm  
8 sitting there going the scupper hole's under water,  
9 right? Some of them. Okay, man, get these people, go  
10 immediately.

11 So they're taking their time, they're getting  
12 off and the sea is pouring in the scupper hole and no  
13 bilge pump coming on. So Drew comes -- or Dennis  
14 goes, Sam, this pump's not working.

15 So I go out there immediately any way as  
16 people are getting off the boat, because I want to see  
17 what's going on, and the bilge pump's office. So I  
18 turn it on automatic and it starts pumping the water  
19 out immediately.

20 And Dennis is going, well, I had it on. I go  
21 no, you didn't, I just turned it on. So that happens  
22 every once in a while. You know, it just can't be  
23 helped.

24 MR. JOE HAMILTON: But do you suppose --  
25 I don't mean to interrupt him. He's a licensed captain

1 and I'm not, but anybody with any sense, you know, when  
2 you leave the dock, you would do the same thing with  
3 your personal boat, and I'm sure Chris would. You  
4 don't leave the dock like this.

5 MR. SAM HAMILTON: Right.

6 MR. JOE HAMILTON: Except this guy was  
7 putting his cover here. Let's get everything the way  
8 it's supposed to be and then you go home, you know.

9 MR. FORD: Right.

10 MR. SAM HAMILTON: Because you got those  
11 scupper holes.

12 MR. FORD: Exactly. But when you train your  
13 captains, how do you train them to count the people on  
14 board?

15 What would you tell them?

16 MR. SAM HAMILTON: All I tell them is that  
17 when the office calls and says you've got twenty-eight  
18 people, that's what you have on your boat, and you  
19 don't leave unless you got twenty-eight people.

20 MR. FORD: And by the Coast Guard's COY,  
21 what is the rule for deck hands on the PANTHER ONE?

22 MR. SAM HAMILTON: Thirty and less, you  
23 don't have to have a deck hand. Any more than thirty,  
24 you have to have a deck hand.

25 MR. FORD: And does the PANTHER ONE normally

1 carry more than thirty, or how would you get a deck  
2 hand on there?

3 Where do you get a deck hand when there's  
4 more than thirty?

5 MR. SAM HAMILTON: Well, I'd put Stanford on  
6 there. We always got somebody sitting there, you know,  
7 that's not doing anything. I'd say, Stanford, you've  
8 got to go, man, we've got more than thirty.

9 MR. JOE HAMILTON: He's a licensed captain  
10 and got CPR parties in the consortium, the whole thing,  
11 and he's there at all times.

12 MR. SAM HAMILTON: There's always somebody  
13 sitting there, you know.

14 MR. JOE HAMILTON: Yeah.

15 MR. SAM HAMILTON: Hopefully, you don't get  
16 in that position, but when you do sometimes because,  
17 you know, you're trying to make --

18 MR. JOE HAMILTON: Then Sam's jumped on him.

19 MR. SAM HAMILTON: Yeah, I have to jump on  
20 him. I really hate doing that.

21 MR. JOE HAMILTON: I won't because I'm not  
22 in the consortium.

23 MR. SAM HAMILTON: Right.

24 MR. FORD: Okay. How familiar are you with  
25 Coast Guard regulations?

1           MR. SAM HAMILTON:    I'm real familiar with  
2    what I know.

3           MR. FORD:       How about reporting casualties?

4           MR. SAM HAMILTON:   Casualties, sure, yeah.

5           MR. FORD:       Groundings?

6           MR. SAM HAMILTON:   Groundings.  No, that was  
7    a casualty.

8           MR. FORD:       Okay.

9           MR. JOE HAMILTON:   Yeah, we remain aware of  
10   that.  I think of casualties as somebody dying.

11          MR. SAM HAMILTON:   Right.

12          MR. JOE HAMILTON:   So when a commander's  
13   talking about, well, is there any other casualties  
14   having crossed my desk, that's I guess is a Coast Guard  
15   or you guys' term.  I don't know.

16          MR. SAM HAMILTON:   I told the commander  
17   yesterday we wasn't aware --

18          MR. JOE HAMILTON:   Yeah, we said the same  
19   thing.  Casualty to us is somebody got killed.

20          MR. FORD:       So both of you are unfamiliar  
21   with a great deal of Coast Guard regulations?

22          MR. SAM HAMILTON:   No.

23          MR. JOE HAMILTON:   No, not at all.

24          MR. SAM HAMILTON:   Just a tiny percent that  
25   they don't really let you know.



1 MR. FORD: Okay.

2 MR. JOE HAMILTON: I mean every time -- I  
3 think you were on the boat yesterday when the commander  
4 said, well, a boat gets towed in. And I said, well, do  
5 you have any clarification?

6 If a hose blows, do we call you? I mean does  
7 he want to call you every day? We've got five boats.  
8 Well, we'll send you the Regs. That was his response.

9 MR. FORD: Okay.

10 MR. JOE HAMILTON: And I'll tell him the  
11 same thing tomorrow, let him have a clue. I mean every  
12 time you run aground -- remember Keefer, he worked over  
13 there.

14 Hell, we run aground every day. Not hard,  
15 but you bump -- you know, we're running this much  
16 water.

17 MR. FORD: Sure.

18 MR. JOE HAMILTON: So we called in. You  
19 know, what are we going to get a direct line? Well, we  
20 just hit again, we hit again.

21 MR. SAM HAMILTON: I wonder how many people  
22 call him every day?

23 MR. JOE HAMILTON: So that's what I wanted  
24 him to make it clear to us because I don't know.

25 MR. FORD: Okay. How about your maintenance

1 program? How do you maintain the boats?

2 MR. SAM HAMILTON: Well, I've done a lot of  
3 it. Well, yearly, or less, they're always dry-docked  
4 because they have to be painted every year, the  
5 bottoms, for the winter rust. We always make sure to  
6 blow some road -- for the winter rust.

7 We always dry-dock them. You get underneath  
8 there and you go, okay, let's see if we've got any  
9 problems. You've got a little loose glass or whatever,  
10 you take care of it. And that's something -- that's  
11 just routine maintenance.

12 You check the strut bearings, the shoe, make  
13 sure it's not real thin. If it is, you replace it.  
14 You've got a welder right there on site. You know, he  
15 replaces the whole thing, or in town. I don't mean on  
16 site.

17 Just general maintenance, basically. You  
18 know big time. The boat has to be painted, the sides  
19 are painted.

20 If you've got any rotten wood anywhere, which  
21 normally you don't, but a lot of times the decks, you  
22 know, maybe where they land all the time at the dock  
23 might get a little loose. You have to replace that.  
24 Just make it look pretty for the winter.

25 MR. FORD: If you do any maintenance that's

1 recommended, say by the manufacturer of the engine, do  
2 you keep a record of it?

3 MR. SAM HAMILTON: Recommended by the --  
4 Perkins?

5 MR. FORD: Right.

6 MR. SAM HAMILTON: They really don't  
7 recommend anything other than check the oil and put  
8 water in --

9 MR. JOE HAMILTON: And plus they're under  
10 warranty for the first year.

11 MR. SAM HAMILTON: Yeah. And you only keep  
12 them for three years and you throw them away.

13 MR. JOE HAMILTON: Yeah.

14 MR. FORD: Okay. How about like hoses? You  
15 know, if you go and you check to see if the hoses are  
16 dried up or cracking?

17 MR. SAM HAMILTON: I don't keep any records  
18 that's routine maintenance that's been done for thirty  
19 years. You make sure you don't have a boat go out with  
20 a bad hose on it.

21 MR. JOE HAMILTON: And we don't let --  
22 unless there's an accident and Kenny Wells didn't show  
23 up or something, and then normally Sam will check it  
24 because he knows more about boats than I do.

25 But 99.9 percent of the time the maintenance

1 guys check the boats, check the oil, check the  
2 transmission, check the hoses.

3 MR. SAM HAMILTON: Sure.

4 MR. JOE HAMILTON: The captain walks on,  
5 flips a switch and that's it.

6 MR. SAM HAMILTON: That's the procedure. We  
7 don't let the captains check the boats.

8 MR. JOE HAMILTON: That's none of their  
9 business unless it's an emergency. We'll call down,  
10 we'll say, you know, one of the captains we can trust,  
11 you know, check this, check that, check all the other  
12 boats.

13 We don't want every captain doing that.

14 MR. SAM HAMILTON: Sure.

15 MR. JOE HAMILTON: The captain basically  
16 shows up and flips a switch.

17 MR. SAM HAMILTON: We try to keep it to one  
18 person.

19 MR. JOE HAMILTON: Yeah. So that way he  
20 answers to us.

21 MR. FORD: All right. Has the Coast Guard  
22 ever come down during an inspection and said, do you  
23 keep records for maintenance? What's your maintenance  
24 program?

25 Have they ever asked you at an inspection?

1 MR. SAM HAMILTON: Yeah, they have.

2 MR. JOE HAMILTON: Just here lately. They  
3 weren't real --

4 MR. FORD: When you say lately, you mean?

5 MR. JOE HAMILTON: Well, I just mean --  
6 well, Carlos, but the commander's got him riding a desk  
7 right now, so that's besides the point there.

8 He was the main one that harped on it. But  
9 just a real loose thing -- I didn't mean to interrupt  
10 you, Sam, but I was there.

11 MR. SAM HAMILTON: Yeah, you're correct.

12 MR. JOE HAMILTON: And they said they didn't  
13 want anything, you know, just basically this, you know,  
14 what you did today. Did you change this hose, blah,  
15 blah, blah, this and that.

16 MR. SAM HAMILTON: Right.

17 MR. JOE HAMILTON: And that went in the  
18 training also, which we do keep logs of that, not real,  
19 real detailed.

20 MR. SAM HAMILTON: Yeah, safety drills.

21 MR. JOE HAMILTON: Yeah, safety drills,  
22 fire, man overboard procedures, blah, blah, blah.

23 MR. FORD: How about National Park Service  
24 Inspectors when they come down, do they look at the  
25 marine elements of the boat?

1           MR. SAM HAMILTON:   They've never been on our  
2 boats.

3           MR. JOE HAMILTON:   Not too often.

4           MR. FORD:   And how are you getting along  
5 with the National Park Service at the site?

6           MR. SAM HAMILTON:   Excellent.

7           MR. JOE HAMILTON:   Excellent.

8           MR. FORD:   You have no problem with them?

9           MR. SAM HAMILTON:   No, they're good people,  
10 big time.

11          MR. FORD:   Okay.   So if I can just recap?

12          PANTHER ONE went aground sometime in  
13 December.   Captain Drew was the captain.   You didn't  
14 dry-dock it afterwards.   As far as you knew, the bottom  
15 was fine.

16          MR. SAM HAMILTON:   As far as our inspection,  
17 the bilge pumps weren't coming on.   There was no water  
18 in the bilge.   Yeah, it was fine.

19          We knew we had to dry-dock any way in about  
20 ten days.

21          MR. FORD:   And you developed a pretty good  
22 relationship with the captains.   Do you feel -- let me  
23 just --

24          MR. SAM HAMILTON:   They're all good.   Yeah,  
25 they're all good people.

1           MR. FORD:    Okay.  So if they are concerned  
2 or worried would they come to you?

3           MR. SAM HAMILTON:  Sure.  They do all the  
4 time.

5           MR. FORD:  I'll start with you, and I'll  
6 give you the opportunity, Sam.

7           I mean whatever you would want to say right  
8 now.  If there's anything you want to add, anything  
9 you'd like to state, I'm giving you the floor.

10          MR. SAM HAMILTON:  I've said it all.

11          MR. FORD:  Okay.  How about you, Joe?

12          MR. JOE HAMILTON:  I pretty much agree with  
13 what he said.  I think I'm not sure whether -- like I  
14 said whether Drew, Captain Drew, ran aground whenever  
15 it was.  I wasn't there.

16          I've got other things I do.  Sam's there most  
17 of the time.  Like I said, he knows a hell of a lot  
18 more about this than I do, but you know, these boats  
19 run aground.  That's a common thing.

20          I mean and most of it's just soft mud.  Like  
21 I said, the Ranger will testify to that.  The Rangers  
22 were running aground all the time.

23          And I know Sam and Kenny and Stanford  
24 immediately when the captain comes in and run aground,  
25 they'll lift up the hatches and go look.  No water

1 coming in. But that's happened hundreds of times.

2 And so I don't know. I mean I'm there  
3 pounding, you know, like he said.

4 MR. SAM HAMILTON: That had a lot to do with  
5 it.

6 MR. JOE HAMILTON: I think it had a lot to  
7 do with it. The stone crabber that's behind it was a  
8 friend of ours, and as quick as it went down, and I'm  
9 not knocking Captain Daniel at all, but sometimes,  
10 whatever. I won't go there.

11 But, you know, if he was circling, whatever,  
12 and creating the weight like that --

13 MR. SAM HAMILTON: He knows better than  
14 that.

15 MR. JOE HAMILTON: Yeah. Everybody in the  
16 stern, you know, that's the way there's not a whole lot  
17 of free board, and it wouldn't, the way they tell me it  
18 went down, it pretty much makes sense.

19 You just have a boat and that's it, it's  
20 gone. As simple as that. That's all I have to say.

21 MR. FORD: Okay. I'm happy. So anything  
22 else? I'm ready to -- thank you very much.

23 (Whereupon, the tape  
24 concluded.)

25



**C E R T I F I C A T E**

I hereby certify that this is the transcript of the taped interview of SAM HAMILTON, III, AND JOSEPH HAMILTON, held before the:

**NATIONAL TRANSPORTATION SAFETY BOARD**

On: January 6, 2003

In the Matter of:

DCA03MM018 SINKING OF

U.S. PASSENGER VESSEL PANTHER ON

DECEMBER 30, 2002,

NEAR EVERGLADES CITY, FLORIDA

and that this is a full correct transcription of the tape recording.

Date: January 27, 2003

\_\_\_\_\_  
EDNA HOLLANDER  
Transcriber